IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.624 OF 2005
IN
APPEAL FROM ORDER STAMP NO. 10248 OF 2005

Municipal Corporation of Gr. Bombay. .. Applicant

Vs.

Ali Abdulla Mir .. Respondent

Ms. Geeta Jogalekar for applicant.
Mr. S.K. Sthalekar for Respondent.

CORAM: B.H. MARLAPALLE, J.

Date : July 07, 2005.

P.C.:

1. Heard Ms. Jogalekar the learned counsel for the applicant-corporation and Mr. Sthalekar the learned counsel for the respondent.

2. A.O. under Stamp No.10248 of 2005 has been filed by the Corporation but belatedly. As per the office note the appeal filed is beyond time by 210 days and hence this application for condonation of delay.

3. It is stated that the certified copy of impugned order dated 5/8/2004 was made available to the Corporation on 10/9/2004, but solely on account of the administrative formalities, including the orders for sanction to file an appeal, the delay of about nine months has been caused. In the instant case the delay deserves to be condoned but by levying costs.

4. Hence the application is allowed in terms of prayer clause (a) subject to payment of cost quantified at Rs.1000/-. The cost amount be remitted to the Maharashtra State Legal Services Authority within a period of two weeks. List the appeal for admission on 25/7/2005.

(B.H. Marlapalle,J.)